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PATENT



09/871,130

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: ALLEN ET AL. Examiner: R. SHAFER  
Serial No.: 09/871,130 Group Art Unit: 2872  
Filed: MAY 31, 2001 Docket No.: 7780.453USD1  
Title: OPTICAL DEVICES USING REFLECTING POLARIZING MATERIALS

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited in the United States Postal Service, as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on June 13, 2002.

By: Carla J. Mauch  
CARLA J. MAUCH

RESPONSE TO EX PARTE QUAYLE ACTION AND REQUEST TO CORRECT  
INVENTORSHIP PURSUANT TO 37 C.F.R. § 1.48(a) AND 37 C.F.R. § 1.48(b)

Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

This Request to Correct Inventorship is filed in response to the Examiner's *Ex Parte Quayle* Action mailed on February 13, 2002. In that action, the Examiner noted that the Applicants previous Request to Correct Inventorship filed December 10, 2002 was deficient because it requested the deletion of Sandy Cobb, which was not one of the originally named inventors. This Request to Correct Inventorship correctly requests deletion of Sanford Cobb, Jr., accurately reflecting the full name of this originally named inventor.

While reviewing the file to respond to this *Ex Parte Quayle* action, an error in the original inventorship of the parent patent application No. 09/298,003 was discovered. Accordingly, Applicants respectfully request that the inventorship be corrected as follows.

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**A. ADD INVENTOR JOHN A. WHEATLEY WHO IS AN INVENTOR OF THE PARENT APPLICATION AS ORIGINALLY FILED**

Applicants hereby respectfully request addition of the following inventor:

John A. Wheatley

Accidentally, Mr. Wheatley was omitted from the originally filed declaration in the parent application No. 09/298,003, which was also filed in this application. Enclosed is a copy of the following documents that were filed in the parent patent application No. 09/298,003 on June 10, 2002 to correct the mistake of omitting John A. Wheatley as an inventor of the patent application as originally filed:

- Combined Declaration and Power of Attorney, in two parts, executed by all nine inventors,
- a Statement of John A. Wheatley that the error occurred without deceptive intent, and
- the Written Consent of the Assignee and Certificate under 37 C.F.R. 3.73.

Enclosed herewith is a check in the amount of \$130.00 for the fee set forth in 37 C.F.R. § 1.17(i) for changing the inventorship in this application. The Examiner is encouraged to contact Applicants' undersigned representative if such contact would be helpful in any way.

**B. DUE TO CANCELLATION OF THE CLAIMS DURING THE FILING OF THIS DIVISIONAL APPLICATION, THE APPLICATION AS PENDING SHOULD NOW NAME THREE INVENTORS: ELISA M. CROSS, RICHARD C. ALLEN AND RONALD J. TABAR**

After changing the inventorship of the application as originally filed as requested in A above, Applicants respectfully request that the inventorship be corrected to identify the following three individuals as inventors of the claimed invention in the above-referenced patent application:

Elisa M. Cross

Richard C. Allen  
Ronald J. Tabar

Applicants hereby respectfully request deletion of the following inventors due to cancellation of some claims that were present in the parent application at the time of filing the present patent application:

Sanford Cobb, Jr.  
Susan L. Kent  
Timothy J. Nevitt  
Andrew J. Ouderkirk  
David L. Wortman  
John A. Wheatley

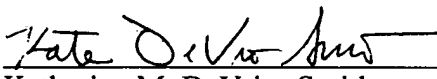
In addition to the \$130.00 check submitted with this Request, a check in the amount of \$130.00 was enclosed for the previous Request to Correct Inventorship filed December 10, 2001 for the fee set forth in 37 C.F.R. § 1.17(i). The Examiner is encouraged to contact Applicants' undersigned representative if such contact would be helpful in any way.

Respectfully submitted,

MERCHANT & GOULD P.C.  
P.O. Box 2903  
Minneapolis, MN 55402-0903  
612/332-5300



Date: June 13, 2002

  
Katherine M. DeVries Smith  
Reg. No. 42,157  
KDS:PSTjt

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Receipt is hereby acknowledged for the following in the U.S. Patent and Trademark Office:

In re Application of: ALLEN ET AL.  
For: OPTICAL DEVICES USING REFLECTING POLARIZING MATERIALS  
Docket No.: 7780.453US01  
Filed: APRIL 22, 1999  
Serial No.: 09/298,003

Express Mail No.: EV-004049260 US  
Date Mailed: June 10, 2002

- ☒ Transmittal Sheet in duplicate containing Certificate of Mailing
- ☒ Signed Combined Declaration and Power of Attorney
- ☒ Check(s) in the amount of \$130.00 for Petition to Correct Inventorship
- ☒ Other: Request to Correct Inventorship Pursuant to 37 C.F.R. § 1.48(a), Statement of John A. Wheatley, Written Consent of the Assignee and Certificate Under 37 C.F.R. § 3.73(b) and copy of Assignment
- ☒ Return postcard

Patent

KDeVriesSmith:PSTkaw

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: ALLEN ET AL.  
Serial No.: 09/871,130  
Filed: MAY 31, 2001  
Confirmation No.: 3758



Examiner: R. SHAFER  
Group Art Unit: 2872  
Docket: 7780.453USD1  
Notice of Allow.  
Date:

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Due Date: JUNE 13, 2002

Title: OPTICAL DEVICES USING REFLECTING POLARIZING MATERIALS

**CERTIFICATE UNDER 37 CFR 1.8:**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on June 13, 2002.

By: Carla J. Mauch  
Name: CARLA J. MAUCH

Commissioner for Patents  
Washington, D.C. 20231

Sir:

We are transmitting herewith the attached:

- ☒ Transmittal Sheet in duplicate containing Certificate of Mailing
- ☒ Request for Extension of Time for one month(s) and fee of \$110.00
- ☒ Check(s) in the amount of \$130.00 for Petition to Correct Inventorship
- ☒ Check(s) in the amount of \$110.00 for Petition for Extension of Time
- ☒ Other: Response to Ex Parte Quayle Action and Request to Correct Inventorship Pursuant to 37 C.F.R. § 1.48(A) and 37 C.F.R. § 1.48(B)
- ☒ Other: Copy of documents filed June 10, 2002 in Parent Application Serial No. 09/298,003: Transmittal Sheet in duplicate containing Certificate of Mailing, Signed Combined Declaration and Power of Attorney, Request to Correct Inventorship Pursuant to 37 C.F.R. § 1.48(a), Statement of John A. Wheatley, Written Consent of the Assignee and Certificate Under 37 C.F.R. § 3.73(b) and copy of Assignment
- ☒ Return postcard

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers or any future reply, if appropriate. Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. A duplicate of this sheet is enclosed.

MERCHANT & GOULD P.C.  
P.O. Box 2903, Minneapolis, MN 55402-0903  
612.332.5300



By: Katherine M. DeVries Smith  
Name: Katherine M. DeVries Smith  
Reg. No.: 42,157  
KDS/cjm

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Requestor

Vendor # / Name: 1002 Director of the United States Patent and Trademark Office

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**MERCHANT & GOULD**

A Professional Corporation  
An Intellectual Property Law Firm  
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Minneapolis, MN 55402-2215

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Billings, MT 59101

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TO THE FOLLOWING

Merchant & Gould P.C.

Director of the United States Patent and Trademark Office

Two Signatures Required For Amounts Exceeding \$5,000

BACK OF DOCUMENT CONTAINS A SECURITY SLOGAN "ORIGINAL DOCUMENT" TO VERIFY AUTHENTICITY

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Inventorship  
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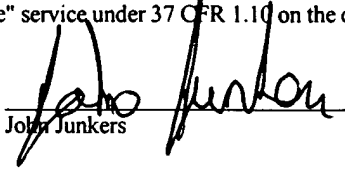
S/N 09/298,003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	ALLEN ET AL.	Examiner:	R. SHAFER
Serial No.:	09/298,003	Group Art Unit:	2872
Filed:	APRIL 22, 1999	Docket No.:	7780.453US01
Title:	OPTICAL DEVICES USING REFLECTING POLARIZING MATERIALS		

**CERTIFICATE UNDER 37 CFR 1.10:**  
"Express Mail" mailing label number: EV 004049260 US  
Date of Deposit: June 10, 2002

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Commissioner for Patents, Washington, D.C. 20231.

By:   
Name: John Junkers

**REQUEST TO CORRECT INVENTORSHIP PURSUANT TO 37 C.F.R. § 1.48(a)**

Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

Applicants respectfully request that the inventorship be corrected as follows:

**I. ADD INVENTOR JOHN A. WHEATLEY WHO IS AN INVENTOR OF THE APPLICATION AS ORIGINALLY FILED ALONG WITH THE EIGHT OTHER ORIGINALLY NAMED INVENTORS**

Applicants hereby respectfully request addition of the following inventor:

John A. Wheatley

Accidentally, Mr. Wheatley was omitted from the originally filed declaration in this application. Enclosed is a Combined Declaration and Power of Attorney, in two parts, executed by all nine inventors, a Statement of John A. Wheatley that the error occurred without deceptive intent, a check in the amount of \$130.00 for the fee set forth in 37 C.F.R. § 1.17(i), and the Written Consent of the Assignee and Certificate under 37 C.F.R. 3.73. The Examiner is

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encouraged to contact Applicants' undersigned representative if such contact would be helpful in any way.

**II. DUE TO CANCELLATION OF THE CLAIMS DURING PROSECUTION, THE APPLICATION AS NOW PENDING SHOULD NAME TWO INVENTORS: SANFORD COBB, JR. AND DAVID WORTMAN**

After changing the inventorship of the application as originally filed, please change the inventorship to identify only the following two individuals as inventors of the claimed invention in the above-referenced patent application, because some claims have been canceled during prosecution:

Sanford Cobb, Jr.  
David L. Wortman

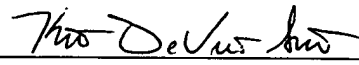
The following inventors should be deleted because some claims have been canceled during prosecution:

Richard C. Allen  
Elisa M. Cross  
Susan L. Kent  
Timothy J. Nevitt  
Andrew J. Ouderkirk  
Ronald J. Tabar  
John A. Wheatley

Respectfully submitted,

MERCHANT & GOULD P.C.  
P.O. Box 2903  
Minneapolis, Minnesota 55402-0903  
(612) 332-5300

Date: June 10, 2002

  
Katherine M. DeVries Smith  
Reg. No. 42,157  
KDS:PSTkaw







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09/298,003

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	ALLEN ET AL.	Examiner:	R. SHAFER
Serial No.:	09/298,003	Group Art Unit:	2872
Filed:	APRIL 22, 1999	Docket No.:	7780.453US01
Title:	OPTICAL DEVICES USING REFLECTING POLARIZING MATERIALS		

CERTIFICATE UNDER 37 CFR 1.10:

"Express Mail" mailing label number: EV 004049260 US

Date of Deposit: June 10, 2002

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Commissioner for Patents, Washington, D.C. 20231.

By: [Signature]

Name: John A. Wheatley

STATEMENT OF JOHN A. WHEATLEY

Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

I, John Wheatley, residing at 8749 Lake Jane Trail, Lake Elmo, MN 55042, am an inventor of the application referenced above. I was accidentally omitted from the Combined Declaration and Power of Attorney originally filed in the above-referenced patent application. This error occurred without deceptive intent on my part.

Date: 5-26-02

[Signature]  
John A. Wheatley

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